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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,473	04/19/2004	Chung-Ren Wang	250908-1290	3293
24504	7590	10/05/2005	EXAMINER	
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 100 GALLERIA PARKWAY, NW STE 1750 ATLANTA, GA 30339-5948			LA, ANH V	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/827,473

Applicant(s)

WANG ET AL.

Examiner

Anh V. La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanaka.

Regarding claim 1, Tanaka discloses a non-intrusive access control method comprising the steps of acquiring identification of a first tag 10 and real time circumstance information 105, determining S43 whether the first tag is permitted based on circumstance identification corresponding to the detection area, the identification of the first tag and the real time circumstance information (figures 13, 21, paragraphs 76-77, 94).

Regarding claim 13, Tanaka discloses a non-intrusive access control system comprising a sensor 20, 105 for acquiring identification of a first tag 10 and real time circumstance information 105, a computing device S43 determining whether the first tag is permitted based on circumstance identification corresponding to the detection area, the identification of the first tag and the real time circumstance information (figures 13, 21, paragraphs 76-77, 94).

Regarding claims 2 and 14, Tanaka discloses user information indicating existence of any other tag in the area (fig. 13, 21).

Regarding claims 3 and 15, Tanaka discloses at least current time or total time (p. 76, 77).

Regarding claim 4, 16, Tanaka discloses physical information indicating status of an object (fig. 13, 21, p. 76, 77, 94).

Regarding claims 5, 17, Tanaka discloses a plurality of tags, and a highest level user role among the user roles being first tag representing the tags (fig. 13, 21, p. 76, 77, 94).

Regarding claims 6, 18, Tanaka discloses a plurality of levels (fig. 13, 21, p. 76, 77, 94).

Regarding claims 7, 19, Tanaka discloses higher rank (fig. 13, 21, p. 76, 77, 94).

Regarding claim 8, Tanaka discloses hierarchical relationship (fig. 13, 21, p. 76, 77, 94).

Regarding claim 9, Tanaka discloses the hierarchical relationship based on the circumstance attribute before the determining step (fig. 13, 21, p. 76, 77, 94).

Regarding claims 10, 20, Tanaka discloses one or more policies (fig. 13, 21, p. 76, 77, 94).

Regarding claim 11, Tanaka discloses extensible markup language format (fig. 13, 21, p. 76, 77, 94).

Regarding claims 12, 21, Tanaka discloses search for policies, determining the first tag being not permitted when no policy allowing permission is located and

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determining the first tag being permitted when at least one related policy with permission and no related policy denying permission is located (fig. 13, 21, p. 76, 77, 94).

Regarding claim 22, Tanaka discloses a radio frequency identification system (abstract).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lancos and McKee teach monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**ANH V. LA**  
**PRIMARY EXAMINER**

Anh V La  
Primary Examiner  
Art Unit 2636

AI  
September 21, 2005